

EXHIBIT "B"

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF LOUISIANA

Case No. 6:24-cv-00351-RRS-DJA

PREPARED FOOD PHOTOS, INC.,
f/k/a ADLIFE MARKETING & COMMUNICATIONS CO., INC.,

Plaintiff,

v.

CLYDE’S CHICKEN KING, INC. d/b/a CHICKEN KING,

Defendant.

DECLARATION OF DANIEL DESOUZA

Daniel DeSouza does hereby declare pursuant to 28 U.S.C. § 1746:

1. I submit this declaration in support of plaintiff Prepared Food Photos, Inc.’s (“Plaintiff”) memorandum in opposition to defendant Clyde’s Chicken King, Inc.’s (“Defendant”) motion for attorneys’ fees and costs. This declaration and the facts stated herein are based upon my personal knowledge.

2. I am the principal of the law firm CopyCat Legal PLLC (“CopyCat Legal”), which has provided legal services to Plaintiff with respect to Defendant’s alleged infringement of a photograph of fried chicken (the “Work”).

3. In November 2022, Plaintiff requested that CopyCat Legal PLLC send a pre-suit demand letter to Defendant.

4. As a result, on November 10, 2022, CopyCat Legal PLLC sent a pre-suit demand letter to Defendant via both Federal Express and e-mail.

5. The attorneys and staff at CopyCat Legal enter contemporaneous status updates and/or notes in CopyCat Legal’s case management software when relevant events in a case occur.

This includes the sending of a pre-suit letter, attempts to reach an alleged infringer thereafter, notes of communications, etc.

6. I have reviewed the notes/status updates in CopyCat Legal's file with respect to Defendant.

7. The status updates reflect that, on December 13, 2022 (after leaving a follow-up voicemail for Defendant), CopyCat Legal PLLC received a phone call from a woman associated with Defendant who indicated that she sent the November 10, 2022 letter to the district attorney and her attorney, both of which purportedly said the letter was a scam and not to contact CopyCat Legal. The employee at CopyCat Legal who answered the call explained that the firm's attorneys could be independently verified on the Florida Bar website and that the letter was not a scam.

8. The status updates further reflect that the woman who called then stated that all of the photos on Defendant's website are their own and that she would have her attorney contact CopyCat Legal prior to hanging up.

9. The status updates further reflect that CopyCat Legal attempted to call and/or e-mail Defendant at least six (6) more times in an effort to discuss the alleged infringement. CopyCat Legal, however, was either unable to reach anyone or had to leave messages that were never returned.

10. Ultimately, believing that the statute of limitations on Plaintiff's claim would expire on March 8, 2024 (3 years from the March 8, 2021 infringement notice), CopyCat Legal assisted Plaintiff with retaining counsel in Louisiana to file the Complaint in this action (which was filed on March 8, 2024).

I declare under penalty of perjury under the laws of the United States of America that the

foregoing is true and correct.

Dated: 6/4/2024

Daniel DeSouza

ID imYNat4eJvb6ink3odLAoy2d

Daniel DeSouza

eSignature Details

Signer ID:	imYNaT4eJvb6ink3odLAoy2d
Signed by:	Daniel DeSouza
Sent to email:	dan@copycatlegal.com
IP Address:	57.135.136.98
Signed at:	Jun 4 2024, 3:45 pm PDT